

F I L E D
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY: *PAC* DEPUTY

ARREST ON OUT-OF-DISTRICT OFFENSE

CASE NUMBER: '07 MJ 2979

The person charged as NAGAPETIAN, Asotour Housap now appears before this United States District Court for an initial appearance as a result of the following charges having been filed in the United States District Court for the Eastern District of California on 12/14/07 with Title 18 USC 3143, in violation of:
Violation of Supervised Release

The charging documents and the warrant for the arrest of the defendant which was issued by the above United States District Court are attached hereto.

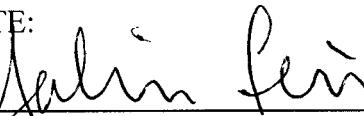
I hereby swear under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

DATED: 12/26/07


Matt Peters
CI -Deputy United States Marshal

Reviewed and Approved

DATE:


Julie L. Fen
Assistant United States Attorney

Case 1:01-cr-05341-OvwW Document 42 (Court only) Filed 12/14/2007 Page 1 of 5

Prob 12C

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

**PETITION FOR WARRANT OR SUMMONS FOR
OFFENDER UNDER SUPERVISION**

Offender Name:	Asatour Nagapetian	
Docket Number:	1:01CR05341-01 OWW	
Offender Address:	Madera, CA	
Judicial Officer:	Honorable Oliver W. Wanger United States District Court Judge Fresno, California	
Original Sentence Date:	1/14/2003	
Original Offense:	<u>Counts 1 & 10:</u> 18 USC 1344, Bank Fraud (CLASS B FELONIES) <u>Counts 13 & 25:</u> 18 USC 1029(a)(2), Unauthorized Use of Access Devices (CLASS C FELONIES)	
Original Sentence:	18 months prison, 5 years TSR, \$400 special assessment, \$37,918.86 restitution	
Special Conditions:	Search, financial sanctions, surrender to INS	
Type of Supervision:	Supervised Release (TSR)	
Supervision Commenced:	1/14/2003, revoked 02/21/2006; Resumed 11/03/2006	
Assistant U.S. Attorney:	Stanley Boone	Telephone: (559) 498-7442
Defense Attorney:	Jim Elia	Telephone: (559) 498-3600
Other Court Action:		

02/21/2006: Sentenced to 14 months prison.

01/30/2006: Admitted to charges (Amended Petition filed 11/10/2005) alleging new law violations (Fresno County Superior Court Case No. F0400022-2 and Madera County Superior Court Case No. MCR22337). Defendant did not admit to charges alleging new

I hereby attest and certify on 12/14/07
 that the foregoing document is a full, true
 and correct copy of the original on file in my
 office and in my legal custody.

Rev.04/2005
PROB12C.MRG

VICTORIA C. MINOR
CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

Deputy

Case 1:01-cr-05341-GvwW Document 42 (Court only) Filed 12/14/2007 Page 2 of 5

RE: NAGAPETIAN, Asatour
Docket Number: 1:01CR05344-01 OWW
PETITION FOR WARRANT OR SUMMONS
FOR OFFENDER UNDER SUPERVISION

law violation (Los Angeles Superior Court Case No. LA050574) and Unauthorized Out of District Travel, but did understand that the Court could consider the circumstances underlying both charges for purposes of violation sentencing.

11/10/2005: Amended petition filed alleging three additional charges of New Law Violations (Fresno County Superior Court Case No. F04200022-2; Madera County Superior Court Case No. MCR22337; and Los Angeles Superior Court Case No. LA050574), and one charge of Unauthorized Out of District Travel.

11/2/2005: Violation petition filed alleging new law violation by Madera County Superior Court (MCR22337). No bail warrant issued 11/2/2005. Defendant arrested 11/2/2005 by Madera County Sheriff. Defendant ordered detained 11/4/2005. Hearing continued to 11/21/2005 before Your Honor.

2/10/2004: Violation petition filed alleging a new law violation (Fresno County Superior Court F0400022-2). Warrant issued as a result. Defendant was arrested, however, there has been no formal court action taken relative to this violation.

PETITIONING THE COURT

The probation officer alleges the offender has violated the following condition(s) of supervision:

Charge Number **Nature of Violation**

Charge 1: **New Law Violation**

On November 10, 2005, felony charges were filed against the releasee by Madera County Superior Court (Case No. MCR23274) alleging Receiving Stolen Property, Grand Theft, and Forgery. A special allegation of Felony Committed While Released on Bail or on Own Recognizance was attached to each charge. The releasee failed to appear for preliminary hearing on December 5, 2007, and a \$25,000 warrant was issued for his arrest.

RE: NAGAPETIAN, Asatour
Docket Number: 1:01CR05344-01 OWW
PETITION FOR WARRANT OR SUMMONS
FOR OFFENDER UNDER SUPERVISION

Charge 2: New Law Violation

On February 26, 2007, the releasee plead no contest to felony Forgery (Fresno County Superior Court Case No. F06900544-8) and was sentenced to 16 months state prison. The offense occurred October 21, 2005.

Charge 3: New Law Violation

On August 20, 2007, the releasee plead no contest to the misdemeanor charge of 470(d) PC (reduced per 17 PC) before Santa Clara County Superior Court (Case No. CC627612). Sentencing is scheduled for January 7, 2008.

Charge 4: New Law Violation

On November 1, 2007, the releasee was found guilty by jury (Kings County Superior Court Case No. 04CM4530) of Felony Passing a False Check and Felony Commercial Burglary. The offenses occurred on January 21, 2004. The releasee failed to appear for sentencing and a \$500,000 warrant was issued for his arrest.

Charge 5: Failure to Report As Directed/Whereabouts Unknown

On November 29, 2007, the releasee failed to report for an office appointment as directed by the undersigned officer. Subsequent contact with the releasee's sister revealed that the releasee left with an unknown man the day previous to whereabouts unknown. The releasee's sister reports that she has not seen or heard from him

**RE: NAGAPETIAN, Asatour
Docket Number: 1:01CR05344-01 OWW
PETITION FOR WARRANT OR SUMMONS
FOR OFFENDER UNDER SUPERVISION**

since. The releasee resides with his sister at her residence with his children. His whereabouts are unknown.

Justification: The releasee pends sentencing in two courts and has failed to appear for preliminary hearing in a third court. His whereabouts are unknown. His criminal history is lengthy and ongoing. A warrant is recommended.

Bail/Detention: The releasee is deemed a flight risk. According to Immigration officials, the releasee has always been deportable, but unlikely. However, given changes in immigration laws, deportation to the releasee's mother country is now a likelihood. Detention is recommended.

I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED ON: 12/10/2005
Fresno, California
mp

Respectfully submitted,

/s/ Melinda Peyret

**Melinda S. Peyret
Senior United States Probation Officer
Telephone: (559) 499-5733**

REVIEWED BY: _____
BRUCE A. VASQUEZ
Supervising United States Probation Officer

APPROVED:

IT IS SO ORDERED.

RE: NAGAPETIAN, Asatour
Docket Number: 1:01CR05344-01 OWW
PETITION FOR WARRANT OR SUMMONS
FOR OFFENDER UNDER SUPERVISION

Dated: December 11, 2007 /s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE